



The Hickory Regional Planning Commission will hold its regular meeting on **Wednesday, May 25, 2016 at 6:00 p.m. in the City Council Chambers of City Hall**. The following will be the agenda for the Regular Meeting:

AGENDA

- Parliamentary Call to Order
- Welcome
- Roll Call
- Items of Correspondence
- City Council Action
- Approval and Signing of Minutes from the April 27, 2016 Meeting

PRESENTATIONS AND PUBLIC HEARINGS

1. **Rezoning Petition 16-03.** Request by Hilton Materials, LLC for the consideration of the rezoning of property located at 1360 11th Avenue SE from Regional Commercial (C-3) to Industrial (IND). The property is shown in more detail as PIN 3712-14-43-2806 on the Catawba County G.I.S. maps.
2. **Special Use Permit 16-02.** Request by Akeshia Mack for the consideration of the expansion of an existing residential daycare in a High Density Residential (R-4) district. Specifically, the request is for approval to operate a residential daycare which serves six (6) or more clients. The subject property is located at 1210 5th Avenue SW, and is shown in more detail as PIN 2792-08-97-3616 on the Catawba County G.I.S. maps.

OTHER BUSINESS

1. None

The Hickory Regional Planning Commission does not discriminate on the basis of disability in the provision of its service as charged by the City Council of the City of Hickory. All meetings are held in accessible facilities. Any person with a disability needing special accommodations should contact the Planning Department at telephone number (828) 323-7422 at least 48 hours prior to the scheduled meeting.

Attendance Roster	
FY 15-16	
Hickory Regional Planning Commission	
Catawba County	Jeff Kerley
Longview	Randall Mays
Catawba County	John Eldridge
Burke County	Vacant
Brookford	Vacant
Caldwell County	James Noggle
Ward 1	Bill McBrayer
Ward 2	Barabra Clemons
Ward 3	Junior Hedrick
Ward 4	Sam Hunt
Ward 5	Wallace Johnson
Ward 6	Shanua O'Brien

Key	A Absent AX Excused						No meeting		
	P Present						Vacant/Not yet appointed		
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
						P		P	P
		P		P		P		P	P
		P		AX		AX		AX	P
		P		P		P		P	P
		AX		AX		P		P	P
		P		P		P		P	P
		P		P		P		P	P
		A		P		P		P	P
		P		P		P		AX	P
		P		P		P		AX	A

Hickory Regional Planning Commission
Wednesday, April 27, 2016, 6:00 pm

A regular meeting of the Hickory Regional Planning Commission (HRPC) was held on Wednesday, April 27, 2016, 6:00 pm, in Council Chambers of the Julian G. Whitener Municipal Building, Hickory NC.

Members Present: Randall Mays, Jim Noggle, Bill McBrayer, Jeff Kerley, Barbara Clemons, Junior Hedrick, Shauna O'Brien, Wallace Johnson and Sam Hunt

Members Excused: John Eldridge

Members Absent: none

Others Present: Director of Planning and Development Services Brian Frazier, Planner Ross Zelenske, Deputy City Attorney Arnita Dula and Minutes Clerk Anne Starnes

Parliamentary Call to Order & Welcome: Randall Mays, Chairman, called the meeting to order at 6:00 pm and welcomed everyone present.

Roll Call: Director of Planning and Development Services Brian Frazier stated a quorum was present, and Dr. Eldridge was excused.

Items of Correspondence: Mr. Frazier said the current 3-year term for three of the HRPC members expires on June 30, 2016 – Bill McBrayer, Barbara Clemons and Shauna O'Brien. He asked each of them to let him know their plans for serving another 3-year term on the Commission. Ms. Clemons said she has already talked with her City Council member and let him know that she has enjoyed serving, but would be unable to serve another 3-year term.

City Council Action: Mr. Frazier said the two rezoning requests recommended by the HRPC in February were approved by City Council on first and second readings, being the rezoning request for properties on Highway 127 South by Dr. Grace Auten, and for the properties along Sweetwater Road requested by US Connec.

Approval and Signing of Minutes from the March 23, 2016 Meeting: Minutes of the previous meeting were distributed to members in advance. No changes, additions or deletions to the minutes were stated. Wallace Johnson moved, seconded by Bill McBrayer, to approve the March 23, 2016 meeting minutes as written. The motion carried unanimously.

PRESENTATIONS AND PUBLIC HEARINGS

Hickory Area Transportation – Mr. Mays introduced John Marshall, AICP, Director of Planning and Transportation for the Western Piedmont Council of Governments, attending to update members on transportation plans in the Hickory region and Unifour area.

John Marshall thanked members for inviting him, and referred to PowerPoint slides during his presentation. He noted that "Unifour" area was a term no longer in use. He asked what areas the HRPC includes. Mr. Mays said the members represent Hickory, Longview, Brookford, Catawba County, Caldwell County and Burke County.

Mr. Marshall said that he would discuss transportation projects and the MPO. Referring to slide #2 (2015 Greater Hickory MPO Planning Boundary and Urban Area Delineation), he said that in 1980, the Hickory urbanized area population exceeded 150,000 and the Hickory-Newton-Conover MPO was formed. It existed until the early 2000s, when it was expanded to take in some larger areas. Back then, he said they also had the Unifour RPO (Rural Planning Organization), which included rural areas of the four counties. This RPO existed until July of 2015, when Greater Hickory was expanded into the Planning Boundary, to take in the Metropolitan Statistical Area (MSA), which includes all four counties. He said that having only one transportation organization now is easier and cleaner. It is now the Greater Hickory MPO, and the Unifour RPO was dissolved into this organization.

Referring to slide #3 (Metropolitan Planning Organization (MPO) Definition), Mr. Marshall asked members if they were aware they were in an MPO, a federal process to conduct local transportation planning in urbanized areas over 50,000 in population. He said that after the 1980 Census, Hickory and Newton-Conover became a MPO. The MPO process is a partnership between local and state government to make decisions about transportation planning in urbanized area, and to meet planning requirements established by the federal government authorizing legislation for transportation funding. He said that all major road decisions that come before the HRPC come through the MPO, and they try to get them prioritized and find funding for them, working with the NC Department of Transportation (NCDOT) to see the projects through.

Referring to slide #4 (Various Products of MPO Planning), Mr. Marshall said that some of the projects they have or produce include:

- Long Range Transportation Plan (LRTP)
- Comprehensive Transportation Plan (CTP)
- Metropolitan Transportation Improvement Program (MTIP)
- Air Quality Conformity Analysis
- Travel Demand Modeling
- Planning Work Program
- Priority Needs List
- Congestion Management Plan (CMP)

He said that members are likely familiar with the State Transportation Improvement Program, a 10-year document with funding for all of the transportation projects in the State, and the **Metropolitan Transportation Improvement Program (MTIP)** is their version of the State's program. He said the **Priority Needs List** is produced every 2-years, when they receive submission of projects from all of the local governments, then take them through a ranking process with the State, then rank them locally, and then each highway division ranks the same projects. So, there are three different rankings, and that is how the projects get into the State Transportation Improvement Program to receive funding. He said that, the start to finish for projects can sometimes take 30 years, and the best scenario for a project, unless it is something very small, is probably 10 years. He said the **Congestion Management Plan (CMP)** was developed after the urbanized population went over 200,000 following the 2010 Census, which changed all of the rules and made things much more complicated regarding the federal government.

Mr. McBrayer asked why the projects take so long. Mr. Marshall said the process involves planning the project; being approved by the environmental groups, which can take years if wetlands or sensitive areas are involved; obtaining right-of-way acquisitions take time, especially if numerous property owners are involved, and not all of them are willing to sell; the design process takes a long time; and, there are steps that just take multiple years. It is very complicated.

Referring to slide #5 (Decision-making Groups for the MPO), Mr. Marshall said that all decisions of the MPO are made by the Transportation Advisory Committee (TAC), which would be like the City Council, and they make all final decisions. He said there is also a Technical Coordinating Committee (TCC), a staff level committee that provides recommendations to the TAC regarding transportation decisions, which he compared to the Hickory Regional Planning Commission, a group that makes recommendations to the City Council. He said that usually Chuck Hansen and Caroline Kone serve as Hickory's representatives; Bruce Meisner served on the TAC before retiring from Council, and Brad Lail continues serving. Mr. Meisner will eventually be replaced.

Mr. Marshall said he would discuss some of the major projects and schedules. Referring to slide #6 (US 321, Sections A, B, & C), a map, he said members were aware that the US 321 project is well underway. Section A goes from 13th Street, just above US 70 in Hickory, on up to 321-A in Granite Falls, and right-of-way will begin in 2018, and construction in 2021 through 2025. He said there was a delay in the project because Lenoir did not want Smiths Crossroads improved, so they pulled the project back to Southwest Blvd. and this process held up the project temporarily. Section B of the project goes from 321-A in Granite Falls up to Mission Road, and there is no right-of-way date yet. Section C of the project now goes from Mission Road to Southwest Blvd.

Mr. Marshall said this one is probably the largest and most expensive project they currently have underway. One of the reasons it is so complicated is because the bridge replacements over the Catawba River will be very high spanning bridges, a 6-lane highway with at least 60,000 cars per day by 2035. He said the bridge would need to be constructed 23-feet above the railroad track. Because it is an active line, they cannot build a 6-lane highway with that amount of traffic. He asked Mr. Noggle if he still lived just beyond the bridge, on the hill, and he said yes. Mr. Marshall told him that one day he would likely be looking out his back door at the bridge, as it would begin around George's at the Lake and then sit down near Arby's, and it would be a very large bridge. He said all lanes would be kept open, as they would build one bridge and tear one down, then build the second bridge and tear the other one down.

Mr. Mays asked about the reference Mr. Marshall made to the 60,000 cars per day estimate, by 2035, saying that members should be aware the traffic counts are another portion of the work done by his office. Mr. Marshall said the car count on the bridge had peaked in 2005, and dipped in 2007, likely due to the economy, but then began rising again, and quickly.

Shauna O'Brien asked if the term "road improvements" meant that Hwy 321 would be improved to the point where there would be no way to exit from it. Mr. Marshall said there would not be totally limited access, there will be some driveway cuts, and they will build U-turns areas into the road, long enough for tractor-trailer trucks, about every 800- to 1,000-feet. He said the problem is that, with US 70, 321 and most other major US highways, they have been commercialized so much that it killed the function of the highway – they no longer serve as US highways anymore, because they have become commercial boulevards.

Referring to slide #7 (NC 150, I-77 to Harvel Road), Mr. Marshall said the map shows a major project that is happening soon and affects Catawba County and Hickory, which is NC 150. Plans are for construction to begin on Phase I next year. It begins at the west side of I-77 and continues to Harvel Road, which is a small dirt road just inside of Catawba County, near the NC 150 Bridge. Phase II of NC 150 is not funded yet.

Referring to slide #8 (NC 150, Harvel Road to NC 16), Mr. Marshall said the map shows Phase II of the NC 150 project, from Harvel Road to NC 16, with right-of-way scheduled in 2022 and construction in 2025, but again, it is not yet funded. He said this phase would affect the Terrell community, and there are

currently some issues regarding the alignment, whether or not it would go through the historic district in Terrell, or go around it, and this has not been decided. This project stops at the new NC 16.

Referring to slide #9 (NC 16, Section A, Tower Road to Caldwell Road), Mr. Marshall said the map shows the extension of NC 16, with right-of-way currently underway. For Section A, he said 80% of the right-of-way has been purchased. And referring to slide #10 (NC 16, Section B, Caldwell Road to Claremont Road), he said this said map shows Section B, which is basically from Abernethy Laurels down to Jones Fish Camp. He noted the Section A and Section B projects are happening concurrently, but they are farther along with the right-of-way on Section A. Construction on the Section B portion is also scheduled to begin next year, with right-of-way currently 50% complete.

Referring to slide #11 (NC 127), Mr. Marshall said this map shows a Hickory project, with improvements planned for NC 127, by the current Transportation Insight Headquarters building, a former mill. He said traffic currently backs up daily from the fire department on up to 1st Avenue SE, and beyond to 2nd Avenue SE, so turn lanes would be added to free up some of the traffic. The right-of-way is scheduled for 2019 and construction in 2021.

Referring to slide #12 (Sweetwater Road Extension), Mr. Marshall said this map shows a project currently underway, the Sweetwater Road Extension, going through the CVCC campus. Construction is set for 2017, and it will likely take a year, possibly a bit more.

Referring to slide #13 (Startown Road), Mr. Marshall said this map shows Startown Road, and the project to widen it to multi-lanes, from US 70 to NC 10. Right-of-way is in 2022 and construction is set to begin in 2024. He noted that all dates are moving targets; these are the dates in their current plans, but everything depends on funding.

Referring to slide #14 (Lenoir-Rhyne Blvd. Interchange), Mr. Marshall said the LR Blvd. project was sorely needed, and had scored as one of the highest statewide projects. A cloverleaf will be constructed to help with congestion, where traffic coming from the south on LR Blvd. attempts to go left and get on I-40 West. The cloverleaf will direct traffic to exit to the right, and go down and under LR Blvd. on I-40 West. He said that westbound I-40 traffic exiting onto LR Blvd. would use the interchange as it is now, the exit would not change. Right-of-way is in 2018 and construction in 2020, and he said this would be an easier fix than some of them are, and it would greatly help with the current congestion.

Referring to slide #15 (Hickory, East Side Thoroughfare – McDonald Pkwy. to Springs Road to NC 127), Mr. Marshall said this map shows a huge project for Hickory, the last leg of the McDonald Parkway project, from Springs Road over to NC 127. He said they are asked daily when the final portion would be completed. Right-of-way is scheduled for 2023, with construction in 2025 and beyond. He said this project was accelerated, due to NC House Bill 97, which effectively freed up millions of dollars, and this is one of the projects they moved up.

Referring to slide #16 (Main Avenue Greenway), Mr. Marshall said this map shows an important project for the City of Hickory, the Main Avenue Greenway from 9th Street NW to 7th Avenue NE. He said this project is being funded in two ways, and construction has been moved up from 2023 to 2020.

Referring to slide #17, Mr. Marshall said this shows a project recently submitted by Chuck Hansen, which is under discussion. It involves taking Old Lenoir Road down from 4-lanes to 3-lanes, and with a bike lane on either side. This is still in the planning stages.

Referring to slide #18 (SPOT 4.0 - Regional Projects), Mr. Marshall said he would discuss SPOT, an acronym for the Strategic Planning Office of Transportation, which involves ranking projects. He said

they submit projects to the State, which are funded in one of two ways, through a points system that ranks the projects.

Referring to slides #19 and #20, Mr. Marshall said the maps show some of the road projects he discussed earlier, and how the point process was applied in ranking them.

Referring to slide #21 (I-40 Widening, Exit 123-128), Mr. Marshall said the map shows a potential widening of I-40 to 6-lanes, from Exit 123 at US 321 to Exit 128 at Fairgrove Church Road. He said the highest traffic counts in the region are between Exits 123 and 128, which is not surprising, with all of the cars exiting to go to the mall and other shopping areas. He said this project had scored so high that it almost made the Statewide Mobility Fund.

Referring to slide #22 (NC 127 widening in Mtn. View) Mr. Marshall said the NC 127 road-widening project is badly needed in the Mtn. View area, from Zion Church Road to Huffman Farm Road, where many accidents occur regularly.

Referring to slide #23 (NC 127 Turn Lane), Mr. Marshall said this project goes from Cloninger Mill Road up to Ritchie Road, just above Bethlehem. This project would include replacement of the NC 127 Bridge, and that it would change to a multi-lane bridge. He said the bridge has been repaired several times, and they are now preparing to re-paint it.

Referring to slide #24 (Key Dates in SPOT 4.0 Process, updated 4/26/2016), Mr. Marshall said that concludes the major regional projects, and that there are also numerous division projects. He said the slide shows the schedule they are on now and related dates.

Key Dates in SPOT 4.0 Process (Updated 4/26/2016)

April 13, 2016	Quantitative Scores and Draft list of Programmed Statewide Mobility Projects released
April 18, 2016 – July 29, 2016	Regional Impact Local Input Points assignment window open (Division Needs Local Input Points optional)
July 29, 2016	Deadline for organizations to submit local contributions for increased scoring for Regional Impact projects
August 2016	NCDOT calculates Regional Impacts total scores and programs Regional Impact Projects
September-October 2016	Division Needs Local Input Point window open
October 31, 2016	Deadline for organizations to submit local contributions for increased scoring for Division Impact projects
November 2016	NCDOT calculates Division Needs total scores and programs Division Needs projects
December 2016	NCDOT prepares 2018-2027 Draft STIP
January 2017	2018-2027 Draft STIP released

Mr. Marshall said all of this is leading up to the 2018-2027 Draft STIP release in January 2017. He noted this is the schedule now, but it is subject to change.

Mr. Mays asked if members had any questions. He complimented Mr. Marshall and WPCOG on their efforts to get projects moved ahead. Mr. Marshall said that since changing to the points scoring system, it is cleaner in that you can justify it more, but it is harder to track sometimes. He noted two local projects that benefited from the points system are the Sweetwater Road Extension and the cloverleaf at I-40, as neither one would have happened anytime soon, but due to the scoring system and the way they evaluated the congestion and safety issues, it quickly moved them up the list. He said not everyone is pleased with the points system, as it can benefit urban areas more than rural areas, due to it being based on congestion and safety, and most of those issues are in the urbanized areas.

Mr. McBrayer asked if any secondary lobbying efforts are involved in the point system, and Mr. Marshall said that was the reason it was created, to take the lobbying and politics out of the process. He said some of it still exists, but that members of the NC Board of Transportation no longer have the power they once had. He said the budget is limited, and that project needs exceed it – there is never enough money to go around.

Mr. Hunt asked if Mr. Marshall and the City staff work together very often. Mr. Marshall said yes, he talks with Mr. Frazier, Chuck Hansen and Caroline Kone on a regular basis, and they regularly attend their meetings; sometimes Mick Berry and Andrea Surratt also attend. He said Hickory is well represented.

Mr. Marshall introduced Cody Moneymaker, WPCOG's new Transportation Planner. He joined their organization 2-months ago.

Mr. Mays thanked Mr. Marshall for his time and making an informative presentation to members. Mr. Marshall said anytime the HRPC members would like an update on the projects he discussed, he would be happy to come back.

OTHER BUSINESS

Hickory by Choice 2030 Update – Mr. Frazier updated the full Commission regarding progress made by the HRPC sub-committee toward the 5-year update of the Hickory by Choice 2030 Comprehensive Plan. He said they have reviewed various sections of the plan, including the introductory, design, land use and housing sections, and have reviewed the land use map. He said that besides some semantics and word revisions, and updated statistics and demographics, there have not been any major changes to the plan. Next month, he said they will review the transportation section, and they are making progress.

Mr. Frazier said that Mr. Hunt is no longer eligible to serve as the HRPC representative to the Community Appearance Commission, due to their term limits. A new representative will need to be appointed no later than the HRPC's meeting in June. Mr. Mays asked members to consider taking over that role.

Mr. Frazier noted that Ms. Clemons would be stepping down from the HRPC, and will need to be replaced. She currently serves on the Hickory by Choice 2030 Update Sub-committee, and will also need to be replaced as a member.

Mr. Frazier said the Bond Commission met last week. The bid process opened for the RFQ for design and engineering services for the City Walk, and there has been a lot of interest. He will continue updating members on their activities.

Mr. Frazier said there would be a HRPC meeting in May, with at least one and possibly two items of business for members to consider.

Mr. Mays asked if there was any additional business to come before the Commission, and there was none.

Adjourn: Bill McBrayer moved, seconded by Barbara Clemons, to adjourn. There being no further business, the meeting adjourned at 6:40 pm.

Randall Mays, Chairman
Hickory Regional Planning Commission

Anne Starnes, Minutes Clerk
City of Hickory

REZONING ANALYSIS

PETITION: Rezoning 16-03

APPLICANT: Monroe Pannell

OWNER: Hilton Materials, LLC

PROPERTY LOCATION: 1360 11th Avenue SE

PIN: 3712-14-43-2806

WARD: The property is currently located in Ward 3 (Councilman Seaver).

ACREAGE: 8.09 acres (325,400.4 ft²).

REQUESTED ACTION: The applicant has submitted a petition requesting the subject property be rezoned from Regional Commercial (C-3) to Industrial (IND).

BACKGROUND: Historically, the property was zoned Economic Development (ED) for a number of decades until a previous owner petitioned to have the property rezoned to C-4 Commercial in 2000. Neither of these zoning district exist in the city's current Land Development Code, but both closely relate to the existing and requested districts.

Hilton Materials, LLC acquired the subject property in January of 2016 with the understanding the property would need to be rezoned from commercial to industrial in order to fulfill their desired use of the property. From a long-term perspective, the rezoning of the property is the first step in a two-step process that will be needed accomplish Hilton Material's ultimate goal, which is to utilize the property as the location of a soil and material mixing / storage operation. The second step of the process will be filing for and receiving a Special Use Permit, as the soil and material mixing / storage operation is considered open storage by the city's Land Development Code.

From a legal standpoint, the Planning Commission and City Council must consider all potential uses permitted within the proposed Industrial (IND) district, as the request is to rezone the property to a general use district. However, staff wanted to offer some perspective to the request, so that at least some idea of the type of uses that would be permitted on the property would be recognized.

DEVELOPMENT POTENTIAL: The current Regional Commercial (C-3) district is characterized by the City's Land Development Code as being a commercial district intended to provide a full range of retail and services businesses that serves both local and regional markets.

The subject property is currently vacant, but is comprised of several acres of developable property. Properties zoned Regional Commercial (C-3) can be developed to a maximum floor area ration (FAR) of 0.85, which would equate into approximately 300,000 ft² commercial floor area.

The proposed Industrial (IND) district is characterized by the City's Land Development Code as a being a district intended to provide locations for the development of land-uses generally devoted to manufacturing, processing and assembly, warehousing, distribution and serving enterprises and office activities.

The Industrial (IND) district is not limited to a maximum floor area ratio (FAR) as is the case with other types of non-residential development. However, it should be duly noted that while a

maximum FAR is not prescribed for Industrial zoning, development is required to provide adequate stormwater control, landscaping and buffering, and similar items as required by the Hickory Land Development Code.

REVIEW CRITERIA: In reviewing and making recommendations on proposed zoning map amendments, review bodies shall consider the following factors:

1. Consistency of the proposed zoning with the *Hickory Comprehensive Land Use and Transportation Plan* and the stated Purpose and Intent of this Land Development Code **(Please refer to Map 1 for more detail);**

The general area is located classified as Industrial by the Hickory By Choice 2030 Comprehensive Plan. (Note: The Hickory By Choice 2030 Comprehensive Plan's Future Land Use map does not contain parcel line data, as the general boundaries of the land use categories are not concrete.)

The Hickory by Choice 2030 plan does not specifically reference 11th Avenue SE as an area for future industrial development, but the plan's future land use map identifies an area that borders I-40, and spans from east of Lenoir Rhyne Boulevard to 21st Street Drive SE (Sweetwater Road) as an area for future industrial growth and expansion.

Additionally, the area to the east beyond the subject property on 11th Avenue, SE is home to some of the most intensive industrial uses within the City of Hickory. These areas house an asphalt production facility (Maymead Materials), as well as a quarry / mining operation (Martin Marietta Materials).

Section 1.7 of the Hickory Land Development Code contains its Stated Purpose and Intent. This section contains five (5) specific items which the Land Development Code is intended to uphold. These are as follows:

- Implement the Hickory by Choice 2030 Comprehensive Plan;

As outlined above, the subject properties are located in an area classified as Industrial, by the HBC 2030 Comprehensive Plan.

- Preserve and protect land, air, water and environmental resources and property values;

Any and all improvements that are to take place on the property will be required to follow all applicable development regulations.

- Promote land use patterns that ensure efficiency in service provision as well as wise use of fiscal resource and governmental expenditures;

The subject property is located on 11th Avenue SE, which is home to a number of larger heavy industrial land uses. Public infrastructure currently in place in the area is sufficient to handle the type of development possible on the subject property.

- Regulate the type and intensity of development; and

Any future development that takes place on the subject property will be regulated by current and future development standards duly adopted by the City of Hickory and the State of North Carolina.

- Ensure protection from fire, flood and other dangers.

Any future development occurring on the subject property will be required to adhere to all state and local building, fire, and flood zone related development regulations. Such regulations will ensure proper protections are provided to ensure surrounding residents, and employees are properly protect as prescribed by law.

2. Existing land uses within the general vicinity of the subject property **(Please refer to Map 2 for more detail):**

North: *The properties to the north across 11th Avenue SE are currently vacant. However, it should be duly noted this property is owned by Martin Marietta Materials, and has been approved as an expansion area for their quarry operations (Special Use Permit 08-03);*

South: *The properties to the south are currently vacant;*

East: *The properties to the east are occupied by industrial land uses (Maymead & Oak Designs); and*

West: *The properties to the west occupied by single-family residences, and an automotive sales facility (Hendrick Motors).*

3. The zoning classification of property within the general vicinity of the subject property **(Please refer to Map 3 for more detail):**

North: *The properties to the north across 11th Avenue SE are zoned Industrial (IND);*

South: *The properties to the south are zoned Regional Commercial (C-3);*

East: *The properties to the east are zoned Regional Commercial (C-3) and Industrial (IND); and*

West: *The properties to the west are zoned Regional Commercial (C-3).*

4. The suitability of the subject property for the uses permitted under the existing and proposed zoning classification:

The subject property is currently zoned Regional Commercial (C-3). The request is to rezone the property to Industrial (IND). With regards to suitability of uses permitted under the existing zoning classification, the subject property shares property lines with existing industrial zoning and industrial land uses. The residential uses to the west are also zoned Regional Commercial (C-3), and are surrounded by commercial or industrial zoning. Given the proximity of other heavy industries, the subject property is better suited for future industrial expansion.

5. The extent to which zoning will detrimentally affect properties within the general vicinity of the subject property:

Most, if not all, zoning map amendments (rezonings) possess the potential to detrimentally impact properties in their general vicinity. However; many of these potential impacts can be properly mitigated through site design and attention to detail during the permitting process. During the site design and permitting process attention is given to ensuring different types of land use can co-exist with one another to the maximum extent practical. This can be accomplished utilizing proper buffering, landscaping, stormwater control, and building setback standards; which are already in place.

6. The extent to which the proposed amendment (zoning map) will cause public services including roadways, storm water management, water and sewer, fire and police protection to fall below acceptable levels.

Adequate public infrastructure is available in sufficient quantities to serve future development on the subject property.

7. The proposed amendment (zoning map) will protect the public health, safety, and general welfare.

The property in question is located within an area where the City's comprehensive plan, Hickory by Choice 2030, anticipated providing additional properties for industrial development. Any future development that occurs of the subject property as the result of the zoning map amendment, will be required to be adhere to regulations related to zoning, building and fire code, traffic, stormwater, etc.; which will work in conjunction with one another to ensure the health and safety of residents and visitors are properly protected.

RECOMMENDED ACTION:

Staff finds Rezoning Petition 16-03 to be consistent with the Hickory by Choice 2030 Comprehensive Plan, and recommends the following:

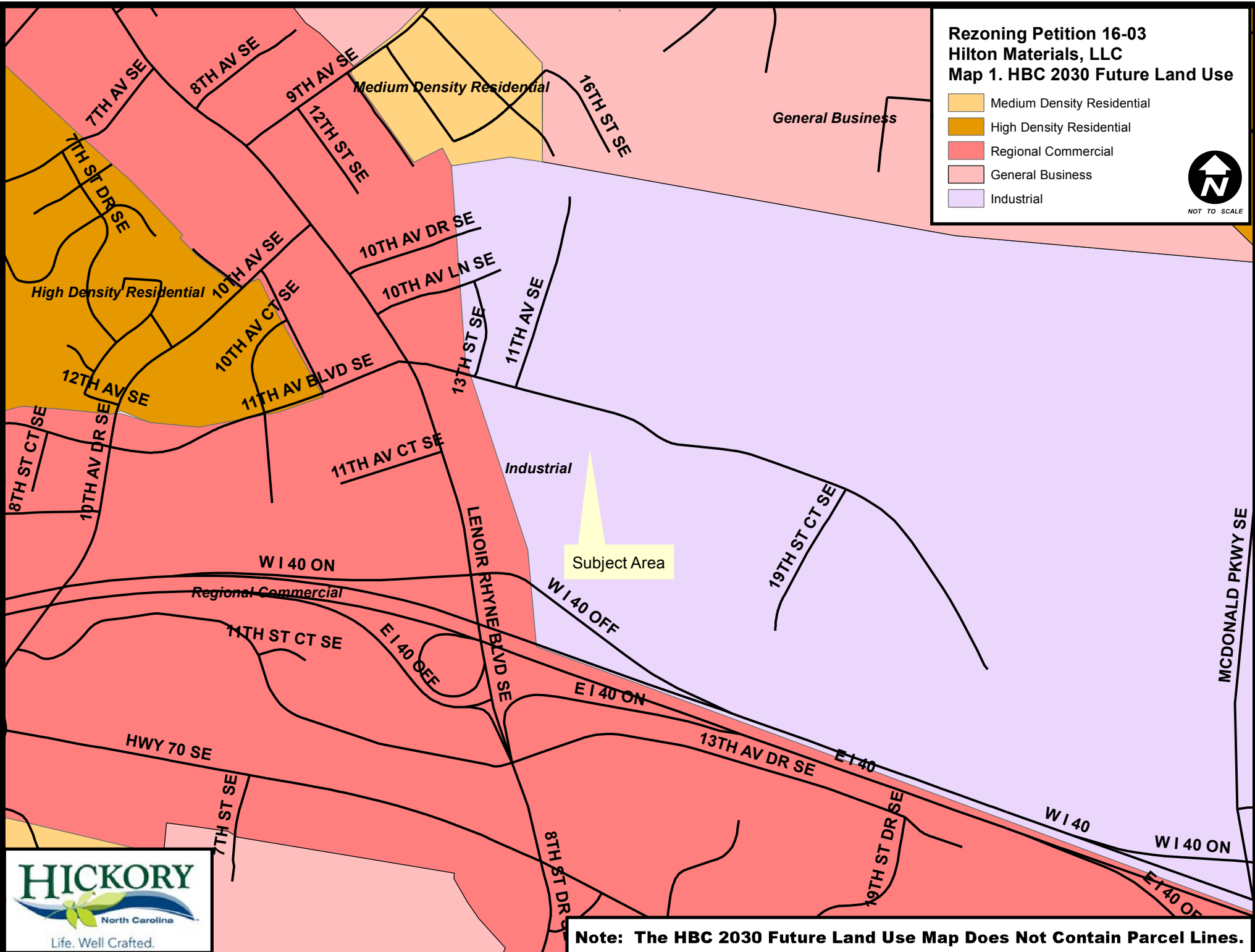
1. The Hickory Regional Planning Commission adopt a statement affirming the petition's consistency with the Hickory by Choice 2030 Comprehensive Plan; and
2. Forward a recommendation of approval to the Hickory City Council.

CITIZEN INPUT:

Staff has received three (3) inquiries regarding the requested rezoning, neither of which indicated opposition to the petition.

**Rezoning Petition 16-03
Hilton Materials, LLC
Map 1. HBC 2030 Future Land Use**


-  Medium Density Residential
-  High Density Residential
-  Regional Commercial
-  General Business
-  Industrial



Note: The HBC 2030 Future Land Use Map Does Not Contain Parcel Lines.



Rezoning Petition 16-03
Hilton Materials, LLC
Map 2. 2014 Aerial Photo

 Subject Property



Maymead - Asphalt Plant

Oak Design - Factory

Subject Property







Hendrick Motors

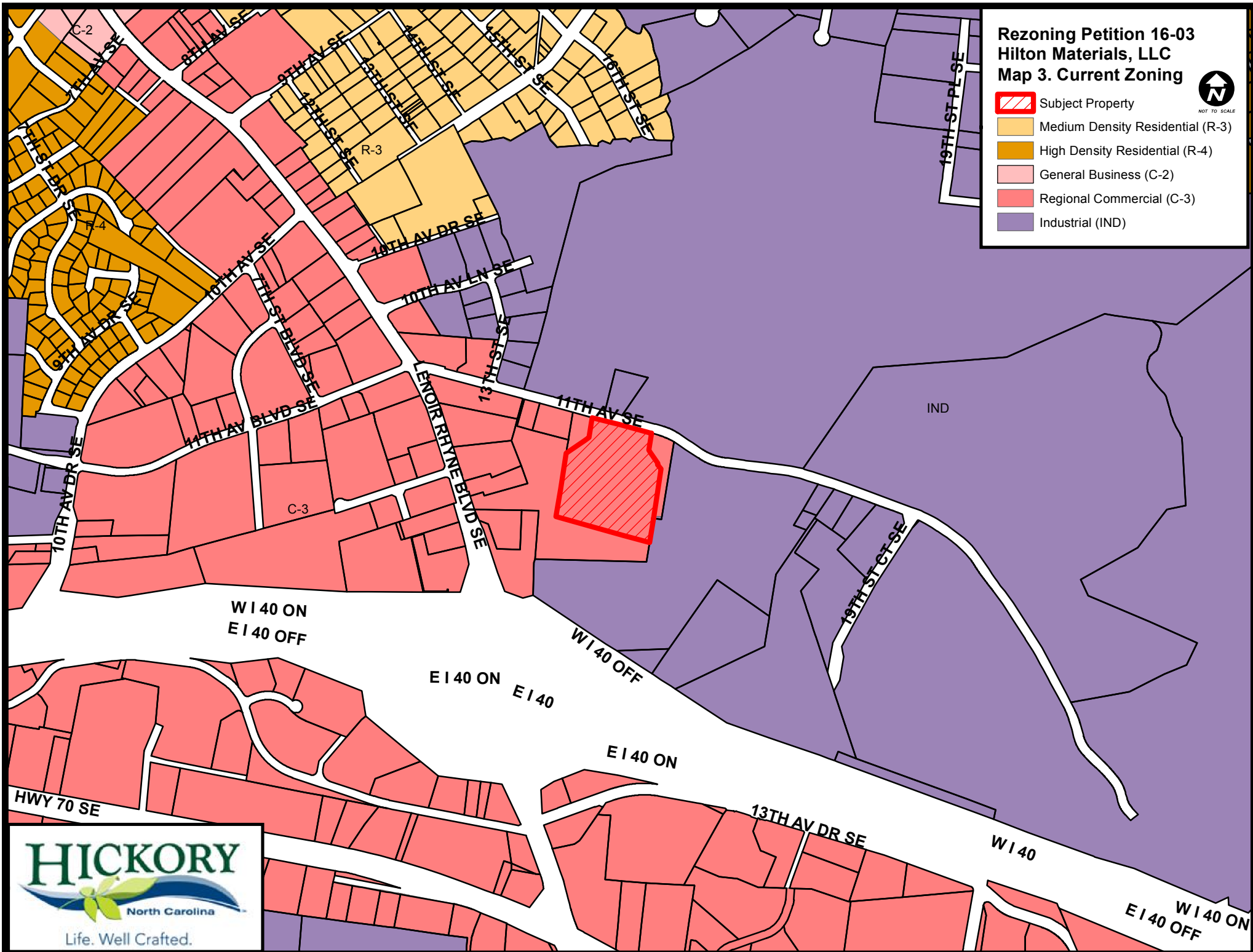
Single-Family Residences

Future Martin-Marietta
Expansion Site



**Rezoning Petition 16-03
Hilton Materials, LLC
Map 3. Current Zoning**

-  Subject Property
-  Medium Density Residential (R-3)
-  High Density Residential (R-4)
-  General Business (C-2)
-  Regional Commercial (C-3)
-  Industrial (IND)



SPECIAL USE PERMIT 16-02 ANALYSIS

PETITION: SUP 16-02

APPLICANT: Akeshia Mack

PROPERTY LOCATION: 1210 5th Ave SW

PIN: 2792-08-97-3616

WARD: The subject property is located in Ward 4 (Councilman Guess)

ACREAGE: 0.28 acres (12,196.8 ft²)

REQUESTED ACTION: The applicant requests a Special Use Permit to expand an existing daycare from five children to eight children.

BACKGROUND: The subject property was developed as a single-family residence in 2001. A daycare, operating as Loving Arms Christian Childcare, opened in September 2015 by the applicant. This use was permitted by right as an accessory use as it only included five preschool-aged clients. The applicant now seeks to add three additional school-age children to the daycare, which requires Special Use approval.

DEVELOPMENT POTENTIAL: The subject property is currently located in a High Density Residential (R-4) District, and can be utilized for large scale multi-family development, small lot single-family residential, and mobile homes. Properties zoned R-4 may be developed at a maximum density of 20 units per acre.

LAND USE AND ZONING: (See Maps 1, 3, and 4 for additional detail)

- **Subject Property:** The property is located in the High Density Residential (R-4) zoning district. The property is also located within the Green Park Neighborhood Preservation Overlay District (NP-O). The property is currently developed as a single family residence. The existing daycare is permitted by right as an accessory use, up to five clients, in the R-4 zoning district.
- **North:** The property to the north, across Highway 321, is located in a General Business (C-2) zoning district. The property is currently developed as a warehouse with retail sales.
- **South:** The property to the south is located in a High Density Residential (R-4) zoning district. The property is developed as a single family residence.
- **East:** The property to the east is located in a High Density Residential (R-4) zoning district. The property is currently developed as a single family residence.
- **West:** The property to the west is located in in a High Density Residential (R-4) zoning district. The property is developed as a single family residence.

ACCESS: Access to and from the property is available from 5th Avenue SW. A private driveway from 13th Street Court SW across a neighbor's property will not be utilized.

SEWER AND WATER: The property is currently served by public water and sewer.

SPECIAL USE PERMIT REVIEW CRITERIA:

Special Use Permit applications may be approved by the Planning Commission only if it finds all the following criteria have been met:

1. **The proposed use is consistent with the *Hickory by Choice 2030 Comprehensive Plan and stated Purpose and Intent of the Land Development Code*; (See Map 2 for additional detail)**

The HBC 2030 Comprehensive Plan indicates the property is located within an area classified as a Revitalization Area. The description and intent of these areas, as found within HBC 2030, is as follows:

“The Revitalization [Area] designation includes those areas that have a diverse mix of light industrial, commercial and residential uses and are typically located along rail corridors or busy, disinvested arterials... The intent of this designation is to promote opportunities for redevelopment and expansion by applying flexible standards and targeted incentive programs. Its focus on the revitalization of commercial and freight corridors, will help those areas most in need of economic development assistance.”

Section 1.7 of the Hickory Land Development Code contains its Stated Purpose and Intent. This section contains five (5) specific items which the Land Development Code is intended to uphold. These are as follows:

- Implement the Hickory by Choice 2030 Comprehensive Plan;
 - *Table 3.2 in the Hickory by Choice 2030 Comprehensive Plan lists the R-4 zoning district as one of the implementing districts of the Revitalization Area designation.*
- Preserve and protect land, air, water and environmental resources and property values;
 - *All proposed site improvements will be required to follow all applicable development regulations, which address air, water, and other environmental impacts*
- Promote land use patterns that ensure efficiency in service provision as well as wise use of fiscal resource and governmental expenditures;
 - *The existing development on the property has been developed in a pattern that allows for the efficient provision of public services.*
- Regulate the type and intensity of development; and
 - *This Hickory Land Development Code regulates the type and intensity of development that is located on the subject property. Any development plans will be required to comply with all regulations contained within the Hickory Land Development Code and all other applicable local and state rules.*
- Ensure protection from fire, flood and other dangers.
 - *All current and future development occurring on the subject property will be required to adhere to all state and local building, fire, and flood zone development regulations. Such regulations ensure proper protections are provided for the owners of the subject property, as well as, the residents of the surrounding properties. The property is located within the minimal flood hazard area (Zone X).*

2. The proposed use complies with all applicable provisions of the Land Development Code;

A daycare is required to adhere to all standards set forth in Section 6.2.7 (Use Regulations for Daycare (Child and Adult)) in the Land Development Code. A paved driveway is located at the front of the home off of 5th Avenue SW. This driveway appears to be able to stack four vehicles at one time. The applicant is in the process of meeting the additional requirements for the North Carolina Department of Health and Human Services. Evidence of zoning compliance is required prior to the permit being issued by Health and Human Services. The applicant will be required to obtain any and all additional permits and approvals necessary from the City of Hickory, Catawba County and the State of North Carolina.

3. The proposed use is compatible with adjacent uses in terms of scale, site design, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);

The proposed use will add an additional three school-aged clients to the existing amount of five clients. The daycare has not modified the existing single-family dwelling in any manner that is evident from the exterior. The applicant has stated that no changes to the structure or site are planned with this expansion. The daycare has and will continue to operate from 6:30am to 11:30pm, covering 1st and 2nd shifts, although it is licensed for all three shifts according to Health and Human Services. The applicant has stated that there have not been any complaints from neighbors since opening.

4. Any significant impacts on neighboring properties and/or the natural environment resulting from the use will be mitigated or offset;

Any additional identified negative impacts on neighboring properties and the environment shall be mitigated to the extent required by all applicable laws and regulations.

5. The proposed use will not cause substantial diminution in value of other property in the neighborhood in which it is to be located;

The daycare operation is already an existing use and staff has not received any information indicating that the expansion of the daycare to three additional clients would cause a substantial diminution in value of other properties in the vicinity.

6. Public safety, transportation, and utility services will be available to serve the subject property while maintaining sufficient levels of service for existing development;

The City of Hickory Fire Department will be responsible for ensuring fire protection. The property is located 1.4 miles away from the West Hickory Fire Station. The property is also within 1,000 feet of a fire hydrant. The Fire & Life Safety Division has conditioned approval as long as the daycare remains within its proposed five pre-school aged children and three school-aged children. The school aged children may only be cared for after school hours. Police protection will be provided by the City of Hickory Police Department. The property is located within the Edward PACT patrol district. No increases in call volume are expected. The subject property is currently served by public water and sewer. A minor increase in water and sewer usage is expected, but no issues

with decreased service level are anticipated. The Solid Waste Division expects to see an increase in garbage and recycling output for the residence. Solid Waste will monitor the output and may require a second rollout, at an additional fee, if output exceeds the single rollout on a regular basis.

7. Adequate assurances of continuing maintenance have been provided;

The future operation of the principal and accessory uses shall be maintained in conformance with all existing development standards, specifically Section 9.16, Property Maintenance, of the Hickory Land Development Code.

RECOMMENDED ACTION: Staff recommends approval of the Special Use Permit contingent upon the following conditions:

1. All aspects of the project, and its subsequent improvements, shall comply with all applicable provisions of the City's Land Development Code, and the Building and Fire Codes of the State of North Carolina.
2. The operation of this facility must comply with all state and local regulations pertaining to childcare facilities. No more than five preschool-aged children and three school-aged children, unrelated to the operator, may be permitted.
3. The daycare shall be subordinate to the principal residential use.
4. No signage related to the daycare shall be permitted.
5. The facility shall at all times adhere to applicable noise and lighting standards.

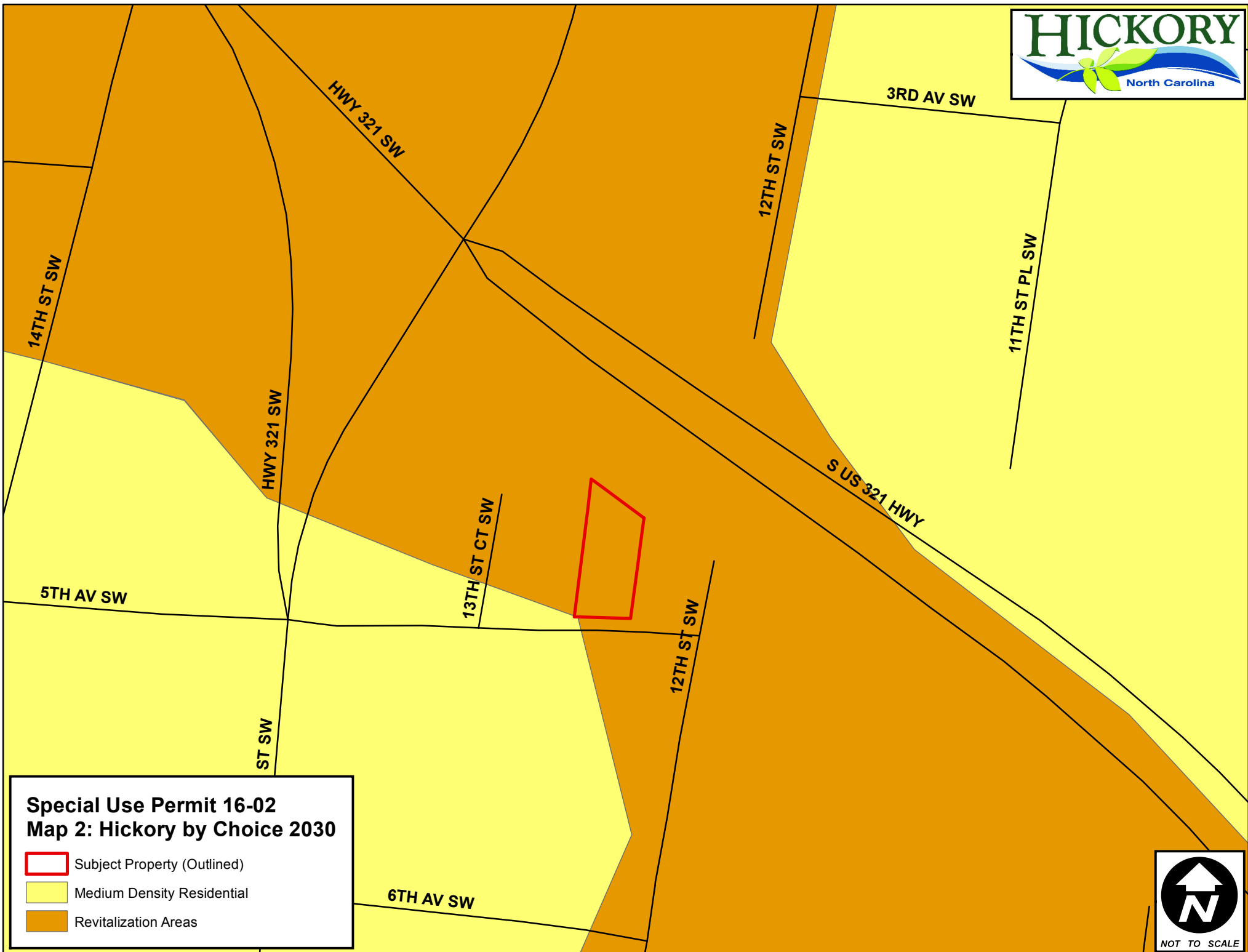
CITIZEN INPUT: As of May 17, 2016, staff has not received any phone calls regarding this petition.

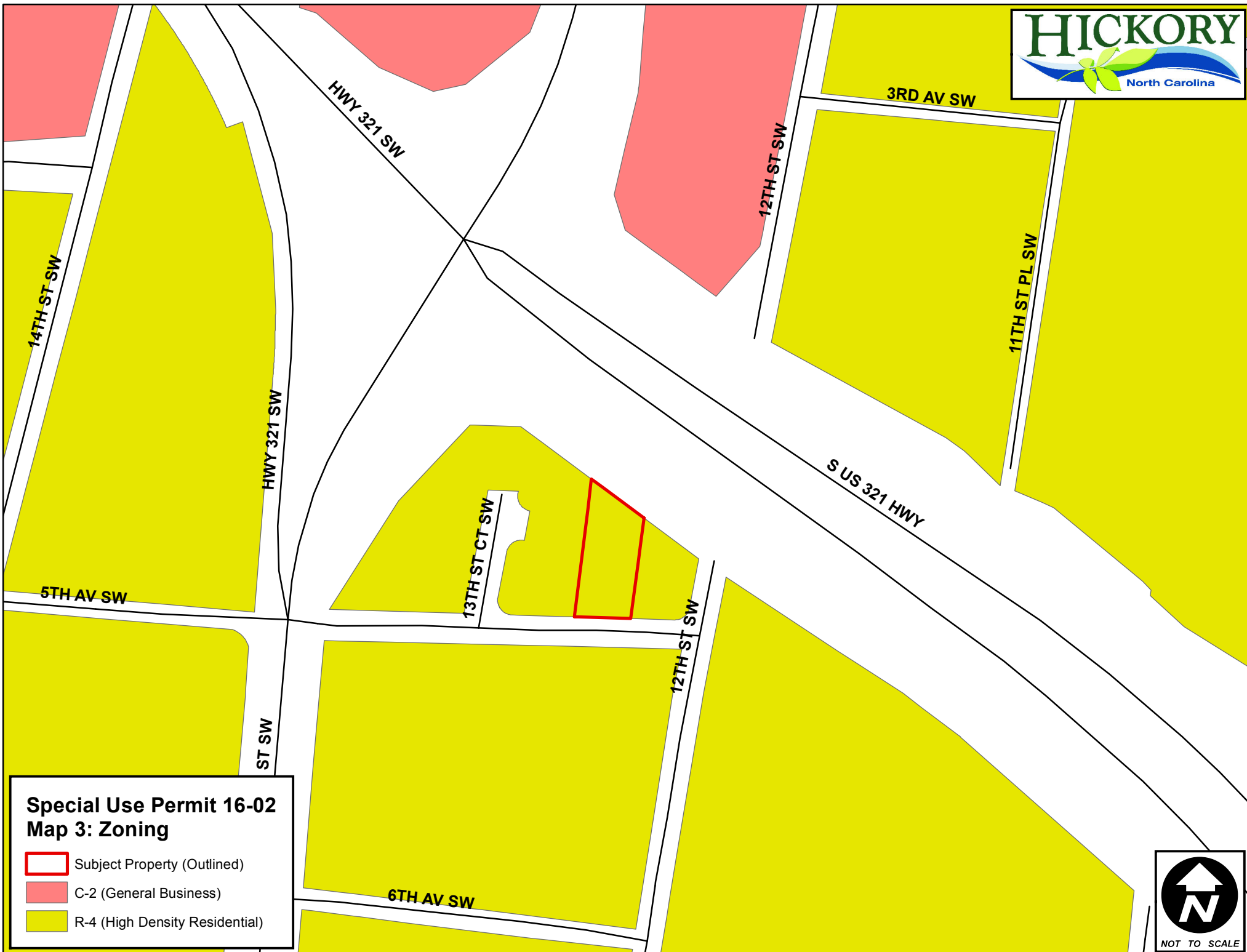


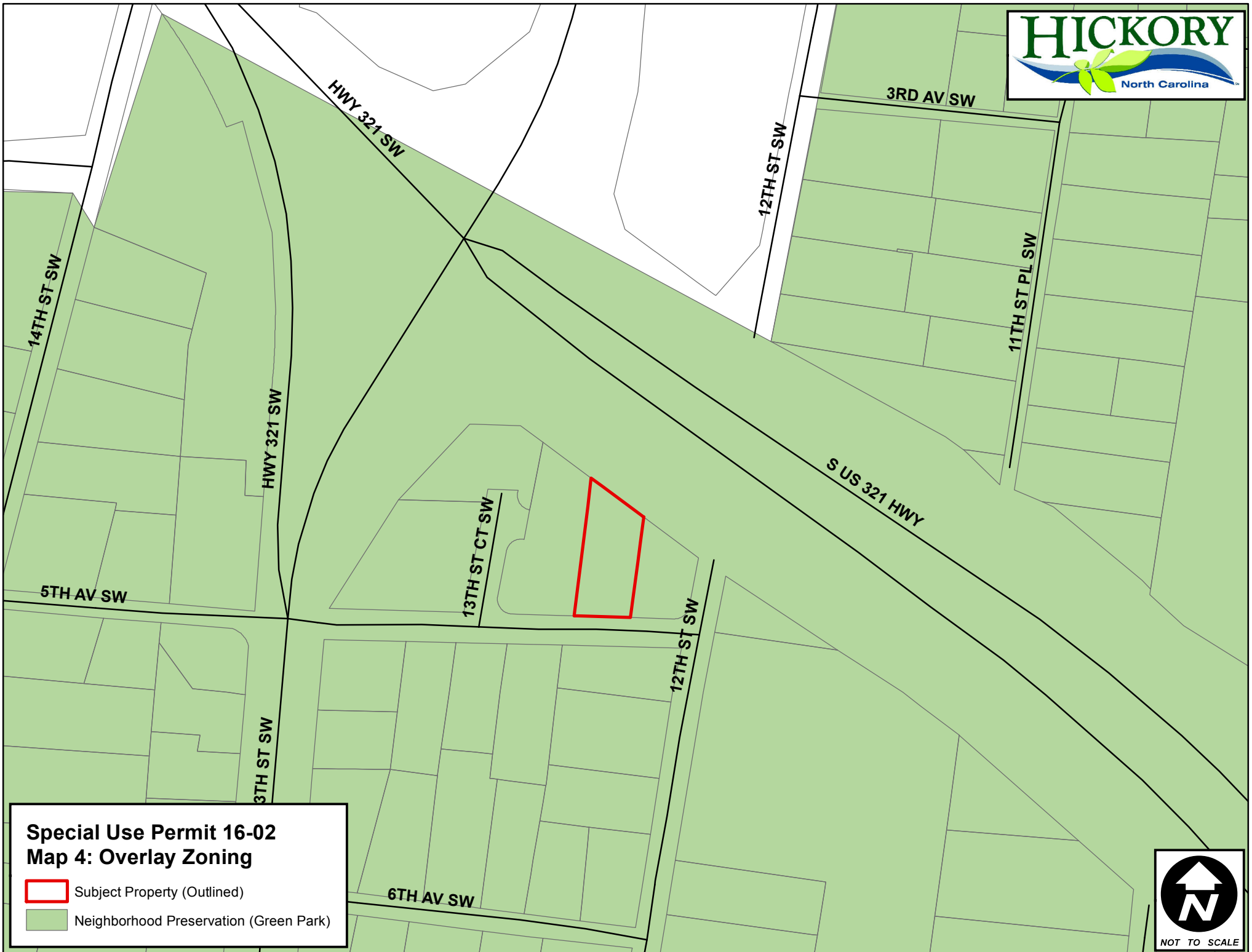
Special Use Permit 16-02
Map 1: Aerial

 Subject Property (Outlined)











Special Use Permit 16-02
Map 4: Overlay Zoning

-  Subject Property (Outlined)
-  Neighborhood Preservation (Green Park)